

OCT 10 2001

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CHERYL NORIEGA: I'm Cheryl

11 Noriega, chairman of the White Pine County
12 Board of Commissioners. I'm here today to
13 offer comments on behalf of White Pine
14 County.

15 At the outset, let me note that
16 White Pine County does not believe that a
17 decision by the Secretary of Energy to
18 recommend the Yucca Mountain site as a
19 geologic repository is in the best interest
20 of Nevada and its residents.

21 Unfortunately, the suitability guidelines
22 under which the determination by the
23 Secretary to recommend the site do not
24 require the Secretary to consider the
25 implications of the repository system upon

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1 the social, economic and environmental
2 fabric which defines this place that I call
3 home.

4 Consideration of these factors in
5 addition to suitability guidelines is
6 within the discretion of the Secretary of
7 Energy. In deciding whether to recommend
8 the Yucca Mountain Site to the president,
9 White Pine County requests that the
10 Secretary of Energy consider not only the
11 suitability of the site under siting
12 guidelines proposed in 10 CFR Parts 960 and
13 963, but also the impacts of the
14 development and operation of the repository
15 upon the residents, economy, and
16 environment of Nevada.

17 The County further recommends that
18 the Secretary of Energy consider whether
19 identified impacts can be sufficiently
20 mitigated so as to ensure maintenance of
21 the quality of life enjoyed by White Pine
22 County residents. If development and
23 operation of the repository system will
24 diminish our quality of life, the Secretary
25 of Energy should not recommend the Yucca

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1 Mountain site to the President.

2 There are unique local conditions
3 and resultant impacts specific to White

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4 Pine County, Nevada, which we believe
5 require full consideration as an integral
6 part of any decision to recommend Yucca
7 Mountain as a safe and enduring repository.

8 As a consequence, White Pine County
9 has prepared a comprehensive impact report
10 which has been submitted directly to the
11 Secretary of Energy. White Pine County's
12 impact report should be considered by the
13 Secretary in formulating a recommendation
14 to the President. In addition, White Pine
15 County expects the Secretary of Energy to
16 submit its impact report pursuant to
17 Section 114(a)(1)(G) of the Act to the
18 President.

19 We understand that other affected
20 units of local government in the State of
21 Nevada are preparing impact reports, all of
22 which should be considered by the Secretary
23 of Energy in determining whether to
24 recommend the Yucca Mountain site.

25 White Pine County believes that the
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1 Secretary of Energy must also consider the
2 Final Environmental Impact Statement for
3 the Yucca Mountain site when deciding
4 whether to recommend the site to the
5 President. To date, Department of Energy
6 staff have suggested that release of the
7 Final Environmental Impact Statement would
8 occur concurrently with the site
9 recommendation.

10 This would suggest that the
11 Secretary of Energy may not be able to
12 consider the contents of the final EIS when
13 making a decision on whether to recommend
14 the site. White Pine County recommends
15 that the Secretary defer any decision to
16 recommend the site until at least 30 days
17 following public release of the final EIS.

18 With regard to the technical basis
19 upon which the secretary may formulate a
20 recommendation, White Pine County is
21 concerned about the DOE's use of proposed
22 rather than existing siting guidelines in
23 preparing the preliminary site suitability

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24 evaluation. In essence, the DOE has
25 determined that the Yucca Mountain site is
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1 suitable for recommendation by applying a
2 set of guidelines which are not found in
3 federal regulation.

4 The DOE has not provided an
5 assessment of the suitability of the Yucca
6 Mountain site against existing siting
7 guidelines found in 10 CFR 960 and 963. As
8 a consequence, DOE does not know whether
9 the Yucca Mountain site is suitable for
10 recommendation under existing guidelines.

11 Either DOE should promulgate final
12 revised siting guidelines in 10 CFR 960 and
13 963 in advance of any recommendation by the
14 Secretary, or the Department should prepare
15 an evaluation of the suitability of the
16 site relative to existing siting
17 guidelines.

18 If the site cannot be shown to be
19 suitable under existing guidelines, the
20 Secretary should not recommend the site to
21 the President. Thank you.